



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/715,068	11/20/2000	Bryan A. Slavin	31333-164218	8870

26694 7590 03/10/2004

VENABLE, BAETJER, HOWARD AND CIVILETTI, LLP  
P.O. BOX 34385  
WASHINGTON, DC 20043-9998

EXAMINER

WINDER, PATRICE L

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 03/10/2004

*M*

Please find below and/or attached an Office communication concerning this application or proceeding.

*M*

## Office Action Summary

Application No.

09/715,068

Applicant(s)

SLAVIN, BRYAN A.

Examiner

Patrice Winder

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-4, 6-9, 11, 13-20, 22-25, 27, 30-33 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Wood et al., USPN 6,091,808 (hereafter referred to as Wood).

3. Regarding claim 1, Wood taught a computer system to provide at least one telephone feature to a telephone of a user (abstract), the computer system receiving instructions regarding said at least one telephone feature via network from a graphical user interface operating on a computer of the user (column 2, lines 31-35, column 4, lines 32-36).

Art Unit: 2155

4. Regarding dependent claim 2, Wood taught the computer system comprising:  
an application server to interact with the telephone of the user and to provide said at least one telephone feature for the telephone (column 3, line 23, column 5, lines 16-21); and

a network server layer to interact with the application server, to interact via the network with the computer of the user, and to provide via the network the graphical user interface to the computer, the graphical user interface to operate said at least one telephone feature for the telephone of the user via the network, the network service layer, and the application server (column 4, lines 32-36, 49-52, column 4, line 64-column 5, line 15).

5. Regarding dependent claim 3, Wood taught the network server layer prompts the computer from the network server layer an update of a call state of the telephone (column 7, lines 5-9).

6. Regarding dependent claim 4, Wood taught the network server layer provides to the graphical user interface an update of a call state of the telephone (column 7, lines 5-9).

7. Regarding dependent claim 6, Wood taught the network server layer updates the graphical user interface on the computer for a call on the telephone transitioning from one state to another state (column 7, lines 17-23).

8. Regarding dependent claim 7, Wood taught the network server layer provides to the graphical user interface an update of accessibility of at least one telephone feature (error = lack of accessibility, column 7, lines 5-9).

Art Unit: 2155

9. Regarding dependent claim 8, Wood taught the network server layer interacts via the network with the computer using a client push protocol (column 4, lines 32-36) and the network server layer interacts with the application server using a call client protocol (column 4, lines 36-39).

10. Regarding dependent claim 9, Wood taught the network comprises a bi-directional layer to communicate between the computer system (column 4, lines 32-36) and the computer and uni-directional layer to communicate from the computer system to the computer (column 7, lines 5-9).

11. Regarding dependent claim 11, Wood taught the network server layer synchronizes a call state of the telephone of the user with a representation of the call state for the graphical user interface (column 7, lines 5-9).

12. Regarding dependent claim 13, Wood taught said at least one telephone feature comprises at least one of: a dial number feature; an answer/talk feature; a hold feature; a release feature; and a conferencing feature (column 6, lines 56-57, column 7, lines 23-26).

13. Regarding dependent claim 14, Wood taught the graphical user interface operates in conjunction with a network browser of the computer (column 3, lines 50-55).

14. Regarding dependent claim 15, Wood taught the graphical user interface comprises an area to display updateable configurable information relevant to the user (column 5, lines 54-61).

15. Regarding dependent claim 16, Wood taught the graphical user interface comprises a web portal (column 5, lines 3-7, 37-39).

16. Regarding dependent claim 17, Wood taught the graphical user interface comprises an area to display a message from a personalized information provider (column 6, lines 18-21).

17. Regarding dependent claim 18, Wood taught the graphical user interface comprises a first icon to access a network site of an organization and a second icon to dial a telephone number of the organization using at least one of the telephone features (column 9, lines 3-14).

18. Regarding dependent claim 19, Wood taught the telephone of the user is unknown to the computer system prior to the computer receiving the graphical user interface from the computer system (registration before use, column 6, lines 1-6).

19. Regarding dependent claims 20, 22-23, Wood taught the telephone is a: mobile telephone (column 3, lines 44-45), a direct dial-in telephone (column 3, lines 33-34), a single telephone (column 3, lines 33-34), respectively.

20. Regarding dependent claim 24, Wood taught the computer system further provides at least one telephone feature to another telephone of the user (call forwarding, column 7, lines 17-23), the computer system further receiving instruction regarding said at least one telephone feature for said another telephone via the network from the computer of the user (column 7, lines 17-23).

21. Regarding dependent claim 25, Wood taught the computer system receives instructions from the graphical user interface regarding said telephone and said another telephone (column 7, lines 14-23).

22. Regarding claim 27, Wood taught a method comprising the steps of:

providing a graphical user interface via a network to a computer of a user  
(column 4, lines 32-36);

controlling a telephone of the user according to input received from the graphical  
user interface on the computer of the user (column 2, lines 31-35, column 4, lines 32-  
36); and

updating the graphical user interface on the computer of the user via the network  
(column 7, lines 5-9).

23. Regarding dependent claim 30, Wood taught a method further comprising the  
step of synchronizing a call state of the telephone of the user with a representation of  
the call state for the graphical user interface (column 6, lines 5-9).

24. Regarding dependent claim 31, Wood taught a computer system for performing  
the method of claim 27 (column 3, lines 20-28, column 4, lines 1-11).

25. Regarding dependent claim 32, Wood taught a computer-readable medium  
comprising software for performing the method of claim 27 (column 2, lines 31-35,  
column 4, lines 1-11).

### ***Claim Rejections - 35 USC § 103***

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all  
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. Claims 5, 12, 21 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood in view of Schnarel et al., USPN 6,389,124 B1 (hereafter referred to as Schnarel).

28. Claims 10, 28-29 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood in view of Haserodt, USPN 6,031,836 (hereafter referred to as Haserodt).

29. Regarding dependent claim 5, Wood taught the network server layer updates the graphical user interface on the computer to represent state (column 7, lines 5-9) Wood does not specifically teach the specifics of call state. However, Schnarel taught call states including an idle call state when no calls are present on the telephone and a non-idle state when at least one call is present on the telephone (column 4, lines 34-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Schnarel's call state's in Wood's system for controlling a telephone would have improved system effectiveness. The motivation would have been to provide a more comprehensive display of telephone line state.

30. Regarding dependent claim 10, Wood taught the computer system communicates with the computer via the network through a web server and web browser (column 4, lines 32-36). Wood does not specifically teach using two transmission control protocol/Internet protocol (TCP/IP) sockets. However, Haserodt taught communication between a web server and a web browser using TCP/IP protocol connection as a standard, i.e. those connections are formed through a socket pair (column 3, lines 14-20). It would have been obvious to one of ordinary skill in the art at



the time the invention was made that incorporating Haserodt's TCP/IP connections in Wood's system for controlling a telephone would have been improved system openness. The motivation would have been because TCP/IP is a standard.

31. Regarding dependent claim 12, Wood does not specifically teach said at least one telephone feature comprises a multiple-line telephone feature. However, Schnarel taught said at least one telephone feature comprises a multiple-line telephone feature (column 4, lines 55-60, column 5, lines 55-56). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Schnarel's multiple-line telephone feature in Wood's system for controlling a telephone would have enhanced system flexibility. The motivation would have been to extend the benefits of Wood's system to more complex telephones.

Regarding dependent claim 21, Wood does not specifically teach the telephone is a public pay telephone. However, Schnarel taught the telephone is a public pay telephone (any telephone connected to a telephone network, column 4, lines 12-16). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Schnarel's any telephone device in Wood's system for controlling a telephone would have enhanced system flexibility. The motivation would have been to expand the applicability of Wood's system.

32. Regarding dependent claim 26, Wood taught the instructions received from the graphical user interface correspond to said telephone, and wherein the computer system receives additional instruction regarding said at least one telephone feature via the network operating on the computer of the user, said additional instructions

Art Unit: 2155

correspond to said another telephone (column 7, lines 14-23). Wood does not specifically teach receiving instructions from another graphical user interface. However, Schnarel taught receiving instructions from another graphical user interface (column 4, lines 55-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Schnarel's another graphical user interface in Wood's system for controlling a telephone would have enhanced system flexibility. The motivation would have been to improve Wood's management of another telephone by providing a consistent interface for each device being managed.

33. Regarding dependent claim 28, Wood taught a method further comprising the steps of:

receiving a call information regarding the telephone (column 6, lines 56-62);

sending a refresh request to the graphical user interface to request an update on the state of the telephone (notification of state change, column 5, lines 3-7, column 7, lines 5-9); and

receiving the update on the state of the telephone as desired (displaying, column 7, lines 5-9). Wood does not specifically teach receiving an update request. However, Haserodt taught receiving a request from the graphical user interface for displaying a web page (column 2, lines 35-39). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Haserodt's requesting a web page in Wood's system for controlling a telephone because doing so would have improved system openness. The motivation would have been to have the system comply with the WWW standards by utilizing request/response handshaking.

Art Unit: 2155

Regarding dependent claim 29, Wood taught the call information pertains to one of an incoming call for the telephone and an outgoing call for the telephone (column 6, lines 56-67).

34. The language of claims 33-36 is substantially the same as previously rejected claims 27-30. Therefore, claims 33-36 are rejected on the same rationale as previously rejected claims 27-30.

### ***Conclusion***

35. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Relyea et al., USPN 6,185,285 B1: taught a method using an Internet connection to provide network users with information about and control over a communications service feature through a network interface;


Casellini, USPN 6,404,860 B1: taught a call management provides an Internet call management service that permits a subscriber to receive information about incoming calls; and

Swartz, USPN 6,445,694 B1: taught an Internet controlled telephony system employing a host services processor connected to a subscriber via the Internet and further connected to the PSTN.

36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 703-305-3938. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-308-3662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Patrice Winder  
Primary Examiner  
Art Unit 2155

plw